

reimburse the non-Federal interest for funds advanced by the non-Federal interest for the Federal share of the project, only if additional Federal funds are appropriated for that purpose.

**SEC. 302. SUSPENSION OF PETROLEUM ACQUISITION FOR STRATEGIC PETROLEUM RESERVE.**

(a) *IN GENERAL.*—Except as provided in subsection (b) and notwithstanding any other provision of law, during the period beginning on the date of enactment of this Act and ending on December 31, 2008—

(1) the Secretary of the Interior shall suspend acquisition of petroleum for the Strategic Petroleum Reserve through the royalty-in-kind program; and

(2) the Secretary of Energy shall suspend acquisition of petroleum for the Strategic Petroleum Reserve through any other acquisition method.

(b) *RESUMPTION.*—Not earlier than 30 days after the date on which the President notifies Congress that the President has determined that the weighted average price of petroleum in the United States for the most recent 90-day period is \$75 or less per barrel—

(1) the Secretary of the Interior may resume acquisition of petroleum for the Strategic Petroleum Reserve through the royalty-in-kind program; and

(2) the Secretary of Energy may resume acquisition of petroleum for the Strategic Petroleum Reserve through any other acquisition method.

(c) *EXISTING CONTRACTS.*—In the case of any oil scheduled to be delivered to the Strategic Petroleum Reserve pursuant to a contract entered into by the Secretary of Energy prior to, and in effect on, the date of enactment of this Act, the Secretary shall, to the maximum extent practicable, negotiate a deferral of the delivery of the oil for a period of not less than 1 year, in accordance with procedures of the Department of Energy in effect on the date of enactment of this Act for deferrals of oil.

Mr. REID. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

**PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT OF 2007—MOTION TO PROCEED—Resumed**

**CLOTURE MOTION**

The ACTING PRESIDENT pro tempore. The clerk will report the motion to invoke cloture.

**CLOTURE MOTION**

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 275, H.R. 980, the Public Safety Employer-Employee Cooperation Act.

Edward M. Kennedy, Robert Menendez, Russell D. Feingold, Patty Murray, Daniel K. Inouye, Amy Klobuchar, Debbie Stabenow, Ron Wyden, Barbara Boxer, Christopher J. Dodd, John D. Rockefeller, IV, Jon Tester, Sheldon Whitehouse, Frank R. Lautenberg, Sherrod Brown, Jeff Bingaman, John F. Kerry.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 980, the Public Safety Employer-Employee Cooperation Act, shall be brought to a close?

There is 2 minutes of debate, equally divided.

The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, this is the legislation to provide a voice for our public safety offices. We have spent a great deal of time in the Senate on homeland security, but the key to effective homeland security is having effective firefighters, police officials, and first responders. They are the individuals who are really protecting our homeland. They are the ones who should have a voice in decisions affecting the security of our country. This legislation provides them with that, to ensure greater safety and security for all Americans. I hope the Senate will support the cloture motion.

The ACTING PRESIDENT pro tempore. Who yields time?

The Senator from Wyoming is recognized.

Mr. ENZI. Mr. President, once again, we have one of those bills that has never been to committee. I guess we are afraid to take labor issues to the Labor Committee. We ought to be able to review these things and work on them as we do on other kinds of bills, but that is not happening on the labor issues. We are just going to play "gotcha" politics.

This bill will take longer than a minute or an hour or a day just to cover some of the flaws that are in this bill. Some of the things that have shown up in the substitute bill never got introduced on this one. So we can see how this doesn't work. This will affect all 50 States. This is an opportunity for you to impose the will of the Federal Government on your State. I don't think you really want to do that. We need to have a little bit more than a minute to discuss that.

I think the leadership is asking for people to vote for this amendment. We have agreed that we would go to it right after lunch. This isn't a matter of stalling out in the Senate; it is a matter of trying to get the right decision made. I ask you to look at these things. It ought to go to the Labor Committee so that reasonable suggestions can be made.

The ACTING PRESIDENT pro tempore. The yeas and nays are mandatory under the rule. The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Arizona (Mr. MCCAIN).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 69, nays 29, as follows:

[Rollcall Vote No. 126 Leg.]

YEAS—69

Akaka	Biden	Brown
Baucus	Bingaman	Byrd
Bayh	Boxer	Cantwell

Cardin	Johnson	Obama
Carper	Kennedy	Pryor
Casey	Kerry	Reed
Chambliss	Klobuchar	Reid
Clinton	Kohl	Rockefeller
Coleman	Landrieu	Salazar
Collins	Lautenberg	Sanders
Conrad	Leahy	Schumer
Dodd	Levin	Smith
Domenici	Lieberman	Snowe
Dorgan	Lincoln	Specter
Durbin	Martinez	Stabenow
Feingold	McCaskill	Stevens
Feinstein	McConnell	Sununu
Grassley	Menendez	Tester
Gregg	Mikulski	Thune
Hagel	Murkowski	Voinovich
Harkin	Murray	Webb
Hatch	Nelson (FL)	Whitehouse
Inouye	Nelson (NE)	Wyden

**NAYS—29**

Alexander	Corker	Isakson
Allard	Cornyn	Kyl
Barrasso	Craig	Lugar
Bennett	Crapo	Roberts
Bond	DeMint	Sessions
Brownback	Dole	Shelby
Bunning	Ensign	Vitter
Burr	Enzi	Warner
Coburn	Graham	Wicker
Cochran	Hutchison	

**NOT VOTING—2**

Inhofe	McCain
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The ACTING PRESIDENT pro tempore. On this vote, the yeas are 69, the nays are 29. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. REID. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

**PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT OF 2007**

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Is the Chair going to report the bill now?

The ACTING PRESIDENT pro tempore. Under the previous order, the motion to proceed is agreed to. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 980) to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

The ACTING PRESIDENT pro tempore. The majority leader.

**AMENDMENT NO. 4751**

(Purpose: In the nature of a substitute)

Mr. REID. Mr. President, on behalf of Senator KENNEDY and Senator GREGG, I send a substitute to the desk.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. GREGG, for himself, and Mr. KENNEDY, proposes an amendment numbered 4751.

(The amendment is printed in today's RECORD under "Text of Amendments.")